

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

In re:
HIGHLAND CAPITAL
MANAGEMENT, L.P.,

Debtor,

CLO HOLDCO, LTD.,

Appellant,

V.

MARC Kirschner,

Appellee.

CIVIL ACTION NO. 3:22-CV-2051-B

NOTICE OF APPEAL

CLO HoldCo, Ltd. (“**CLO HoldCo**”), a putative creditor and party in Bankruptcy Case No. 19034053-sgj11 (the “**Bankruptcy Case**”) and appellant in the above-captioned bankruptcy appeal (“**Appeal**”), pursuant to 28 U.S.C. § 158(d) and FED. R. APP. P. 3, 4, hereby appeals to the United States Court of Appeals for the Fifth Circuit from the final judgment, the *Memorandum Opinion and Order* [**Dkt. No. 18**] (the “**Opinion**”) affirming the *Order Denying Motion to Ratify Second Amended Proof of Claim and Expunging Claim* entered by the United States District Court for the Northern District of Texas (the “**District Court**”), entered on May 18, 2023.

Pursuant to FED. R. APP. PROC. 3(c)(1):

(A) The parties to the Appeal and their attorneys and contact information are:

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Appellee: Marc Kirschner, Litigation Trustee for the Highland Litigation Sub-Trust

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Party in Interest: Highland Capital Management, L.P

Party in Interest Counsel: Pachulski Stang Ziehl & Jones LLP

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(B) The appeal is being taken from:

***Memorandum Opinion and Order* [Dkt. No. 18] entered by the District Court on May 18, 2023**

(C) The name of the court to which the appeal is taken:

United States Court of Appeals for the Fifth Circuit

Respectfully submitted:

KELLY HART PITRE

/s/ *Louis M. Phillips*

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Attorneys for CLO HoldCo, Ltd.

CERTIFICATE OF SERVICE

I, undersigned counsel, hereby certify that a true and correct copy of the above and foregoing document and all attachments thereto were sent via electronic mail via the Court's ECF system to all parties authorized to receive electronic notice in this case, including counsel for Appellee, on this June 19, 2023.

The undersigned hereby certifies that, on this the 19th day of June 2023, true and correct copies of this document were served via U.S. Mail, First Class, properly addressed with pre-paid postage to the counsel for the Appellee and the Party In Interest.

/s/ **Louis M. Phillips**

Louis M. Phillips